

Message Text

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PAGE 01 BONN 10808 131307Z
ACTION L-03

INFO OCT-01 EUR-12 EA-10 ISO-00 SS-15 SSO-00 NSCE-00
JUSE-00 FTC-01 AID-05 CEA-01 CIAE-00 COME-00
EB-08 FRB-03 INR-10 IO-13 NEA-11 NSAE-00 OPIC-03
SP-02 TRSE-00 LAB-04 SIL-01 AGRE-00 OMB-01 INRE-00
ICAE-00 /104 W

-----040341 131311Z /47

O R 131156Z JUN 78
FM AMEMBASSY BONN
TO SECSTATE WASHDC IMMEDIATE 9335
AMEMBASSY PARIS IMMEDIATE
INFO AMEMBASSY ATHENS
AMEMBASSY ANKARA
AMEMBASSY BRUSSELS
AMEMBASSY BERN
AMEMBASSY COPENHAGEN
AMEMBASSY CANBERRA
AMEMBASSY DUBLIN
AMEMBASSY HELSINKI
AMEMBASSY LISBON
AMEMBASSY LONDON
AMEMBASSY LUXEMBOURG
AMEMBASSY MADRID
AMEMBASSY OSLO
AMEMBASSY OTTAWA
AMEMBASSY ROME
AMEMBASSY REYKJAVIK
AMEMBASSY STOCKHOLM
AMEMBASSY TOKYO
AMEMBASSY THE HAGUE
AMEMBASSY VIENNA
AMEMBASSY WELLINGTON

C O N F I D E N T I A L BONN 10808

PARIS ALSO FOR USOECD
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PAGE 02 BONN 10808 131307Z

BRUSSELS ALSO FOR USEEC

E. O. 11652: GDS
TAGS: EINV, ECOSOC, OECD, UN, GW
SUBJECT: OECD SUPPORT FOR ILLICIT PAYMENTS AGREEMENT

REF: (A) STATE 135161 (B) BONN 10575 (NOTAL)

1. THE FRG HAS SENT THE FOLLOWING REVISED VERSION OF THE U.S. DRAFT TEXT (REFTEL A) TO THEIR PERMANENT DELEGATION IN PARIS: "MINISTERS ANNOUNCED THEIR ACCORD ON CERTAIN BASIC PRINCIPLES WHICH SHOULD UNDERLY (SIC) A MULTILATERAL AGREEMENT TO PREVENT ILLICIT PAYMENTS IN CONNECTION WITH INTERNATIONAL COMMERCIAL TRANSACTIONS. THEY EXPRESSED THE HOPE THAT THE OUTSTANDING PRINCIPLES OF A MULTILATERAL AGREEMENT COULD BE SETTLED IN THE PERTINENT COMMITTEE OF THE UNITED NATIONS ECONOMIC AND SOCIAL COUNCIL AS SOON AS POSSIBLE SO THAT A CONFERENCE OF PLENIPOTENTIARIES COULD BE CONVENED."

2. SOME OF THE MAIN "OUTSTANDING PRINCIPLES" FOR THE FRG ARE: A) IN TERMS OF ENFORCEMENT THE FRG WOULD LIKE TO SEE RESPONSIBILITY BEING SHARED BY BOTH HOST AND HOME COUNTRIES. THEY ALSO FEEL HOME COUNTRY SHOULD HAVE ENFORCEMENT DISCRETION ON GROUNDS OF PUBLIC POLICY IF HOST COUNTRY IS NOT CONCERNED ABOUT AN ILLICIT PAYMENT; B) THE FRG IS ALSO VERY MUCH OPPOSED TO INCLUSION OF STATE-OWNED OR -CONTROLLED ENTERPRISES; C) THEY ATTACH LESS IMPORTANCE TO THEIR OPPOSITION TO INCLUSION OF PARLIAMENTARY DEPUTIES AS PUBLIC OFFICIALS.

3. COMMENT. THE FRG DEFINITELY WANTS IF AT ALL
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PAGE 03 BONN 10808 131307Z

POSSIBLE TO AVOID SETTING A DATE FOR A CONFERENCE AT THIS TIME. THEY FEEL THE UK, JAPAN AND FRANCE SHARE MANY OF THEIR CONCERNS AND OPPOSITION TO A FIXED DATE. THEY ARE AWARE OF STRONG U.S. INTEREST AND FLEXIBILITY CONCERNING THIS ISSUE AND WOULD PROBABLY EXPECT MANY CONCESSIONS ON BASIC ELEMENTS BEFORE AGREEING TO A CONFERENCE IN 1979.
STOESSEL

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